

27123

↑CUSTOMER NUMBER↑

Docket No. 2976-4039US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Tim Keith, et al.

Group Art Unit: 1637

Serial No.: 10/670,184

Examiner: Angela Marie Bertagna

Filed: February 22, 2006

Confirmation 2818

For: NOVEL HUMAN GENE RELATING TO RESPIRATORY DISEASES AND
OBESITY

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated July 6, 2006, in which pending claims 1-21 and 23-64 were subjected to an election, applicants provisionally elect to prosecute the antibody claims of **Group III (claims 23-26, 32-59, and 63-64)**, and further elect **SEQ ID NO:5 as the species**.

A three months Petition for an Extension of Time is submitted herewith extending the date for response to January 6, 2007. Entry and consideration of the amendment is respectfully requested. Under 37 C.F.R. §1.7(a) when the last day to take action falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, the action may be taken on the next succeeding business day which is not a Saturday, Sunday, or Federal holiday, *i.e.*, January 8, 2007 without additional extension fees.

Amendments to the Claims begin on page 2 of this paper

Remarks that begin on page 9 of this paper.